

MARCUS K. POWELL,

Plaintiff,

V.

NUCOR STEEL MEMPHIS, INC. AND
SANDERS ENVIRONMENTAL,

Defendants.

No. 2:19-cv-02280-TLP-jay

JURY DEMAND

**ORDER ADOPTING THE MAGISTRATE JUDGE’S REPORT AND
RECOMMENDATION**

Plaintiff sued pro se claiming sexual harassment and retaliatory termination by Defendants, Nucor Steel Memphis and Sanders Environmental. (ECF No. 1 at PageID 4.) Defendants filed a Motion to Dismiss under 12(b)(6) or Alternatively for Summary Judgment. (ECF No. 11.) Plaintiff responded to Defendants' Motion to Dismiss, (ECF No. 12), and then filed an Amended Complaint, (ECF No. 13). Plaintiff then filed a Motion for Court Hearing on the Motion to Dismiss. (ECF No. 15.) The Magistrate Judge issued a Report and Recommendation ("R&R") recommending that this Court deny Defendants' Motion to Dismiss and Plaintiff's Motion for Court Hearing on the Motion to Dismiss because the Amended Complaint rendered these motions moot. (ECF No. 18 at PageID 105.)

Under Federal Rule of Civil Procedure 72(b)(2), “[w]ithin 14 days of being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2). Neither party objected to the R&R, and the time for filing objections has expired. *See* Fed. R. Civ. P. 5(b)(2), 6(d),

72(b)(2). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P.

72(b) advisory committee notes.

Having reviewed the R&R, the Court finds no clear error and ADOPTS the R&R in its entirety, DENIES Defendants’ Motion to Dismiss, and DENIES Plaintiff’s Motion for Court Hearing on the Motion to Dismiss.

SO ORDERED, this 20th day of September, 2019.

s/ Thomas L. Parker

THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE